



Atty. Dkt. No. 043844-0110 JFW

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Peter Depew FISSET

Title: PHOTOTHERAPY SYSTEMS AND METHODS

Appl. No.: 10/591,960

International 03/09/2005

Filing Date:

371(c) Date: 06/25/2007

Examiner: Ahmed M. FARAH

Art Unit: 3769

Confirmation 6853

Number:

RESPONSE TO RESTRICTION REQUIREMENT

Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

This communication is responsive to the restriction requirement set forth in the Office Action mailed April 15, 2009, for the captioned matter. Applicant hereby provisionally elects inventive Group II (claims 68-77) for examination without traverse.

The Examiner further requires Applicant to elect one species for prosecution upon election of an inventive Group. For Group II, the Examiner requires the Applicant to elect a species from those recited in claims 74-76. To comply with this requirement, Applicant elects claim 74 directed to psoriasis treatment.

Applicant requests that non-elected claims 75 and 76 be rejoined with generic claim 68 upon the allowance of claim 68. Applicant reserves the right to pursue the non-elected subject matter in a divisional application.

The Commissioner is hereby authorized to charge any additional fees which may be required regarding this application under 37 C.F.R. §§ 1.16-1.17, or credit any overpayment, to Deposit Account No. 19-0741. Should no proper payment be enclosed herewith, then the Commissioner is authorized to charge the unpaid amount to the same deposit account. If any extensions of time are needed for timely acceptance of papers submitted herewith, Applicant hereby petitions for such extension under 37 C.F.R. §1.136 and authorizes payment of any such extension fees to the above deposit account.

Respectfully submitted,

By 

Date: May 15, 2009

FOLEY & LARDNER LLP
Customer Number: 22428
Telephone: (202) 945-6090
Facsimile: (202) 672-5399

Leon Radomsky
Attorney for Applicant
Registration No. 43,445